

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

FRANCES SWINDLE MARTIN

PLAINTIFF

V.

NO. 4:19cv115-JMV

NANCY BERRYHILL,
Commissioner of Social Security

DEFENDANT

ORDER

Before the Court are Plaintiff's motion [20] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d); Defendant's response [23]; Plaintiff's amended motion [30] for EAJA fees; and Defendant's response [31] to Plaintiff's amended EAJA motion. For reasons stated in Defendant's response to Plaintiff's amended EAJA motion, Plaintiff's amended EAJA motion is DENIED as premature. Plaintiff may refile her motion at an appropriate time after the judgment in this case has become final. Plaintiff's initial EAJA motion [20] is deemed MOOT.

SO ORDERED this 22nd day of September, 2020.

/s/ Jane M. Virden
U.S. Magistrate Judge